

Violation concerning a respondent, it shall make such information known and available to the respondent as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 26(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

#### RULE 26. RIGHTS OF RESPONDENTS AND WITNESSES

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at the respondent's own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor respondent's counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and respondent's counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and respondent's counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced to in (c).

(g) If the Committee issues a report with respect to a claim referred to the Committee by the Office of Congressional Workplace Rights pursuant to Section 416(e) of the Congressional Accountability Act of 1995, the Committee shall ensure that the report does not directly disclose the identity or position of the individual who filed the claim.

(h) A respondent shall receive written notice whenever—

(1) the Chair and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first;

(4) the Committee votes to expand the scope of the inquiry of an investigative subcommittee; and

(5) the Committee or an investigative subcommittee determines to take into evidence the trial transcript or exhibits admitted into evidence at a criminal trial pursuant to Rule 18(e)(3).

(i) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle an investigation, in whole or in part, on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and the respondent's counsel, the Chair and Ranking Minority Member of the subcommittee, and outside counsel, if any.

(j) Statements or information derived solely from a respondent or respondent's counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent.

(k) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent(s) informing the respondent(s) of such vote.

(l) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(m) Prior to their testimony, witnesses shall be furnished a printed or electronic copy of the Committee's Rules and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(n) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chair may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(o) Each witness subpoenaed to provide testimony or other evidence shall be provided the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, officers, and employees of the House, and, as the Chair considers appropriate, actual expenses of travel to or from the place of examination. No compensation shall be authorized for attorney's fees or for a witness' lost earnings. Such per diem may not be paid if a witness had been summoned at the place of examination.

(p) With the approval of the Committee, a witness, upon request, may be provided with a transcript of the witness' own deposition or other testimony taken in executive session, or, with the approval of the Chair and

Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

#### RULE 27. FRIVOLOUS FILINGS

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of a majority deems appropriate in the circumstances.

#### RULE 28. REFERRALS TO FEDERAL OR STATE AUTHORITIES

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

#### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

Thereupon (at 9 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 9, 2021, at 10 a.m. for morning-hour debate and noon for legislative business.

#### BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 1085, a bill to award three congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 1491, the Fair Debt Collection Practices for Servicemembers Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV,

EC-543. A letter from the President of the United States, transmitting notification that the national emergency with respect to Iran, that was declared in Executive Order 12957 of March 15, 1995, is to continue in effect beyond March 15, 2021, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 117—23), was taken from the Speaker's table, referred to the Committee on Foreign Affairs and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DeSAULNIER: Committee on Rules. House Resolution 188. Resolution providing for consideration of the bill (H.R. 842) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; providing for consideration of the bill (H.R. 8) to require a background check for every firearm sale; providing for consideration of the bill (H.R. 1446) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee; and for other purposes (Rept. 117-10). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. McHENRY (for himself, Mr. LYNCH, Mr. THOMPSON of Pennsylvania, Mr. BUDD, and Mr. DAVIDSON):

H.R. 1602. A bill to direct the Commodity Futures Trading Commission and the Securities and Exchange Commission to jointly establish a digital asset working group, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself and Mr. NEWHOUSE):

H.R. 1603. A bill to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Education and Labor, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACON:

H.R. 1604. A bill to amend title 18, United States Code, to combat straw purchases of firearms; to the Committee on the Judiciary.

By Mr. COMER (for himself, Mr. GOOD of Virginia, Mr. HICE of Georgia, and Mr. LUETKEMEYER):

H.R. 1605. A bill to increase access to agency guidance documents; to the Committee on Oversight and Reform.

By Mr. TAYLOR (for himself, Mr. MORELLE, and Ms. MOORE of Wisconsin):

H.R. 1606. A bill to amend the Child Abuse and Prevention Act to require a study and report on marital age of consent; to the Committee on Education and Labor.

By Mr. ALLRED (for himself, Mr. BERGMAN, Mr. KIM of New Jersey, Mr. FITZPATRICK, and Mr. NEGUSE):

H.R. 1607. A bill to amend title 28, United States Code, to allow claims against foreign states for unlawful computer intrusion, and for other purposes; to the Committee on the Judiciary.

By Mr. ARRINGTON (for himself, Mr. CUELLAR, Ms. GRANGER, Mr. JACKSON,

Mr. TONY GONZALES of Texas, and Mr. ARMSTRONG):

H.R. 1608. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 with respect to future interstate designations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. AXNE (for herself, Mr. LARSON of Connecticut, and Mr. WESTERMAN):

H.R. 1609. A bill to amend title XI of the Social Security Act to provide Secretarial authority to temporarily waive or modify application of certain Medicare requirements with respect to ambulance services furnished during certain emergency periods; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERGMAN:

H.R. 1610. A bill to direct the Federal Communications Commission to prioritize the timely processing of certain long-form applications in the Rural Digital Opportunity Fund Phase I auction; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself and Mr. TONKO):

H.R. 1611. A bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. KILDEE, Mr. GRIJALVA, and Ms. BARRAGÁN):

H.R. 1612. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Ways and Means.

By Mrs. BOEBERT:

H.R. 1613. A bill to secure the southern border of the United States against illegal border crossings, and for other purposes; to the Committee on Homeland Security.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 1614. A bill to amend the Immigration and Nationality Act to provide that marijuana use, possession, and distribution may not be considered for determinations of whether a person is a person of good moral character, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. SAN NICOLAS, Ms. BARRAGÁN, Mr. BLUMENAUER, and Ms. MOORE of Wisconsin):

H.R. 1615. A bill to amend title 49, United States Code, to expand and codify the transit oriented development planning grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURGESS:

H.R. 1616. A bill to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT:

H.R. 1617. A bill to establish a White House Rural Council, and for other purposes; to the Committee on Agriculture.

By Mr. CLEAVER (for himself, Ms. TLAIB, Ms. BUSH, Mr. KHANNA, Ms. NORTON, Mr. LEVIN of California, Ms. PRESSLEY, and Ms. JAYAPAL):

H.R. 1618. A bill to require the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change, to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLYBURN (for himself, Ms. ADAMS, Mr. BUTTERFIELD, Mr. PRICE of North Carolina, Mr. TIMMONS, and Mr. WILSON of South Carolina):

H.R. 1619. A bill to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE (for herself, Mr. NADLER, Mr. FITZPATRICK, Mr. HOYER, Ms. KAPTUR, Ms. MOORE of Wisconsin, Mrs. CAROLYN B. MALONEY of New York, Ms. LEE of California, Ms. NORTON, Mr. MCGOVERN, Ms. BASS, Mrs. BEATTY, Ms. SPEIER, Mrs. DINGELL, Ms. WASSERMAN SCHULTZ, Mr. SCHIFF, Mr. COSTA, Mr. TAKANO, Ms. TITUS, Ms. DELBENE, Mr. CONNOLLY, Mr. BLUMENAUER, Ms. WILSON of Florida, Mrs. DEMINGS, Ms. BROWNLEY, Ms. ROSS, Mr. GOMEZ, Mr. MALINOWSKI, Mr. MORELLE, Mr. KILMER, Mr. HORSFORD, Ms. WILD, Mr. PHILLIPS, Ms. JACOBS of California, Mr. MRVAN, Ms. WILLIAMS of Georgia, Ms. MENG, Mr. BROWN, Mr. KILDEE, Mrs. LURIA, Ms. BARRAGÁN, Mrs. LAWRENCE, Mr. COOPER, Mr. THOMPSON of California, Mr. O'HALLERAN, Mr. LYNCH, Mr. DANNY K. DAVIS of Illinois, Mr. ESPAILLAT, Ms. KUSTER, Mr. VARGAS, Mrs. WATSON COLEMAN, Mr. PAYNE, Ms. DEAN, Mr. GARAMENDI, Mr. WELCH, Ms. VELÁZQUEZ, Mr. COHEN, Mr. TORRES of New York, Ms. BONAMICI, Ms. CLARKE of New York, Mr. CLEAVER, Mr. TONKO, Ms. ROYBAL-ALLARD, Mr. CICILLINE, Mrs. HAYES, Ms. STRICKLAND, Mr. DeSAULNIER, Ms. SCANLON, Mr. SWALWELL, Mr. SCHNEIDER, Mr. CARBAJAL, Mr. HASTINGS, Mr. VELA, Ms. CLARK of Massachusetts, Ms. SPANBERGER, Mr. SMITH of Washington, Ms. HOULAHAN, Ms. GARCIA of Texas, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SOTO, Mrs. TRAHAN, Mr. EVANS, Ms. SEWELL, Mr. MOULTON, Mr. RYAN, Mr. JONES, Mr. CARSON, Mr. DEUTCH, Mrs. BUSTOS, Mr. RASKIN, Mr. DAVID SCOTT of Georgia, Mr. SUOZZI, Mr. KEATING, Mr. HUFFMAN, Mr. KIM of New Jersey, Mr. NEGUSE, Ms. STEVENS, Mr. MEEKS, Mr. CASTEN, Mrs. FLETCHER, Ms. ESCOBAR, Mrs. NAPOLITANO, Mr. MCEACHIN, Mr. CROW, Mr. YARMUTH, Mr. GREEN of Texas, Ms. MANNING, Mr. MCNERNEY, Ms. DEGETTE, Mr. LOWENTHAL, Mr. ALLRED, Ms. LOIS FRANKEL of Florida, Mr. LAWSON of Florida, Ms. JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KAHELE, Mr. GRIJALVA, Mr. JEFFRIES, Ms. MCCOLLUM, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. BLUNT ROCHESTER, Mr. BUTTERFIELD, Mr. VICENTE GONZALEZ of Texas, Ms. DAVIDS of Kansas, Mr. RUPPERSBERGER, Mr. BEYER, Mr. PANNETTA, Mr. NORCROSS, Ms. OMAR, Ms.